

Pest Management

**A guide to what a Pest Management Technician
needs to know**

July 2017

A guide to what a Pest Management Technician in Queensland needs to know

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An electronic version of this document is available at

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Introduction

This guide aims to provide an overview of the requirements for pest management and Pest Management Technicians (PMTs) under the *Pest Management Act 2001* (Act) and the Pest Management Regulation 2003 (Regulation). This guide is not an extract from the Act and the Regulation. The legislation should be referred to if legal interpretation is required.

Most pesticides and fumigants are inherently hazardous and the risk to human health and the environment depends on how safely they are handled and used. The main objectives of the Act are to protect the public from health risks associated with pest control and fumigation activities, and from adverse results due to the ineffective control of **pests**. To achieve these objectives, the Act provides for a licensing regime to regulate those activities as well as to ensure that the activities are carried out by PMTs in a safe and competent way. The Act also provides for the means by which compliance with the Act is to be monitored and enforced.

Enquiries on information contained in this document may be directed to any Queensland Health Hospital and Health Service Public Health Unit (HHSPHU). A list of HHSPHUs is available on the Queensland Health website:
<https://www.health.qld.gov.au/system-governance/contact-us/contact/public-health-units/default.asp>

Other key contacts are included in Appendix 1: Key Contacts.

Terms in **bold italics** are included in the dictionary in Appendix 2: Dictionary.

Licensing

General information

Any person undertaking a **pest management (PM) activity** in Queensland must possess a PM licence, unless exempt. Activities permitted to be undertaken without a PM licence are specified in the Act and the Regulation. (Refer to Appendix 3 for guidance on the types of activities that do or do not require a PM licence.)

Licences are issued for the following activities:

- **Pest control activity excluding timber pests** – this enables the holder to undertake pest control activities for pests **other** than timber pests such as termites. Common pests include cockroaches, silverfish, fleas, ants, spiders, lawn grubs and rodents.
- **Pest control activity including timber pests** – this licence enables the holder to undertake pest control activities for pests and timber pests such as termites.
- **Fumigation** – this licence enables the holder to undertake fumigation activities for the site environments listed on their licence.

A person must be at least 17 years of age and hold relevant competencies in order to apply for a PM licence. (See Appendix 4: Units of Competency for further information on the required competencies.)

Licences are only issued to individuals. PM businesses and trainee PMTs in Queensland are not required to be licensed. A licence may not be transferred to

another person.

Queensland Health has the ability to impose conditions on a licence where it is deemed necessary.

Heavy penalties up to 1000 penalty units may apply to unlicensed pest management activity. A similar penalty applies to persons advertising or holding out as a PMT if they are unlicensed.

Recognition of other pest management licences

Holders of a PM licence issued by another Australian State/Territory or New Zealand can be issued a PM licence in Queensland under mutual recognition principles. This allows for a streamlined approach to working across boundaries. The mutual recognition arrangement enables PMTs to work as a PMT after an application has been made and while the decision is pending.

There are some limitations to recognition of licences for fumigation activities. All applications for fumigation activities must be accompanied by either:

- a Declaration of Assessment for particular site environments, or
- information from the PMT's Queensland employer as well as documentation from recent fumigation activities.

Suitability of a person to hold a licence

To determine if the person is suitable to hold a licence under the Act, the following may be considered:

- the person's skills and competence
- the person's physical ability and mental capacity (in cases where the person's physical ability or mental capacity is in doubt, the chief executive may require the person to undergo a health assessment by a doctor before deciding if the person is suitable to hold a licence)
- any contraventions of licence conditions (e.g. undertaking an activity not listed on the licence)
- whether a pest management licence has been suspended or cancelled in the past
- any disciplinary action
- any conviction under a relevant law, or
- any indictable offences

Licensing process

Pest management application forms and further information about applying for licences can be obtained and downloaded from the Queensland Health pest management web page: <https://www.health.qld.gov.au/public-health/industry-environment/pest-management/default.asp>

The same licence application form is used for a new licence, a new licence under mutual recognition principles, a variation of an existing licence and a replacement licence.

Applying for a licence

When applying for a PM licence, the following must be provided to Queensland Health:

- a completed approved application form,

- certified copies of all relevant supporting documentation e.g. evidence of completion of required competencies, and
- the prescribed application fee.

A licence may be issued for a term ranging from one to five years.

Supporting documentation may be certified by:

- a Justice of the Peace,
- a Commissioner for Declarations, or
- an Environmental Health Officer of a Public Health Unit

Failure to provide the required application information may delay the application approval process.

Renewing a licence

All PM license holders must renew their licence before the licence expires. If the licence expires, a new application with all supporting documentation will need to be submitted.

Licence application forms are sent to licensed PMTs by Queensland Health, at least 60 days before the licence expiry date, to the last address notified to Queensland Health. It is therefore very important that PMTs ensure that they notify Queensland Health if their postal address and licence details change. (See the *Notifying department of changes* section below.)

The application to renew a PM licence must be made on the approved form and include the correct fee. It is the PMT's responsibility to ensure that their licence renewal application is returned to and received by Queensland Health before their licence expires. The Act prevents Queensland Health from renewing a licence after the licence expires.

Varying a licence

A PMT may apply to vary their licence in relation to:

- the type of pest management activity that can be carried out;
- a condition of the licence; or
- fumigation site environments.

The application must be made on the approved form and include the correct fee.

Replacing a licence

A PMT may apply for a replacement licence if their licence has been damaged, destroyed, lost or stolen. A fee will be charged to cover the cost of a replacement photographic licence.

The application must be made on the approved form and include the correct fee. A statutory declaration stating why a replacement licence is needed must also be included with the application form.

Licence fees

Licence fees are listed on the application form and are correct at the time of publication. There are periodic adjustments to fees annually (around September / October) to reflect CPI changes.

Notifying department of changes

PMTs are responsible for notifying Queensland Health of any changes to their details and licence conditions. The Act requires PMTs to notify the Queensland Health within 21 days of any of following:

- loss of licence
- change of contact details including residential address, postal address, phone, email
- change of employer or employer's details
- change of storage location of pesticides/fumigants
- change in physical or mental health capacity that may adversely affect the PMT's ability to competently and safely carry out pest management activities
- convicted of an indictable offence
- convicted of an offence, other than a spent conviction, under any of the following legislation:
 - *Pest Management Act 2001* and/or *Pest Management Regulation 2003*,
 - *Work Health and Safety Act 2011*,
 - *Queensland Building and Construction Commission Act 1991*,
 - *Domestic Buildings Contract Act 2000*,
 - *Queensland Civil and Administrative Tribunal Act 2009* and
 - similar laws applying or applied in the Commonwealth, another Australian state or territory or a foreign country
- PM licence is suspended or cancelled under *Pest Management Act 2001* or corresponding law

To notify Queensland Health of any of the above changes or matters, the form, *Notice to Chief Executive – Change in Circumstances*, must be completed and submitted. The form and application guide can be found at the Queensland Health pest management web page. There are no fees applicable for lodging this form.

Penalties apply if Queensland Health has not been notified of any of these matters.

Pest management competencies

The required units of competency, as prescribed under the Regulation for each pest management licence class, are listed in Appendix 3.

These units are taken from the current Certificate III in Urban Pest Management qualification or superseded equivalent qualifications.

Training is not provided by Queensland Health. A full list of Registered Training Organisations (RTO) and courses can be obtained from the National Training Information Service website www.training.gov.au

Vehicles

Storage & securing of chemicals

PMTs must ensure that all vehicles used for the purpose of pest control, including the storage, transport or preparation of a pesticide or fumigant meet the following minimum standards:

- all liquid and solid pesticides / fumigants must be adequately stored and secured to:
 - prevent container damage,
 - contain any spillage during transport, and
 - prevent unauthorised access, e.g. by locking back of truck when unattended, keeping chemicals in lockable container
- all floors and walls where the chemical is stored must be impervious to the pesticide or fumigant to enable ease of cleaning and prohibit the build-up of chemical residue
- chemicals and contaminated equipment must be stored separate to the passenger compartment of any vehicle
- fumigation gas cylinders must be stored:
 - in an upright position and secured to prevent them tipping or falling over,
 - either in a part of the vehicle open to the air, with unrestricted ventilation, or enclosed in a vapour tight cabinet that is vented to the outside of the vehicle,
 - to prevent unauthorised access to the gas cylinder, the main cylinder control and regulator, e.g. by storing the cylinder in a suitably designed lockable and well ventilated cage where access to the cylinder, fixtures and fittings is prohibited.

It is advisable that a spill kit, appropriate for the type and volume of chemicals transported in the vehicle or used, is carried.

Signage

All PM vehicles must be clearly identified as a PM vehicle with appropriately sized signage which includes:

- the technician's name or business name, or
- the name or business name of the technician's employer, and
- a contact phone number.

If the name on the vehicle does not clearly indicate that the vehicle is used for pest management activities, the words 'Pest Management vehicle' or similar must be included on the vehicle signage.

Suitable wording would be 'Robo's Pest Control - telephone (07) 9999 7777'.

As well as promoting the PM business, the signage will alert people and emergency responders to take the appropriate measures to manage the risks if an accident occurs.

Chemical storage, containers and labelling

Storage area (other than in a motor vehicle)

PMTs who have control, custody or possession of a pesticide or fumigant must ensure the storage area:

- if it is in part of a person's residence, is not be used for residential purposes
- has a floor that is impervious to the pesticide or fumigant
- is built in a way so that leakage or escape of a pesticide or fumigant is not likely to cause harm or nuisance to a person or the environment, and
- is secured at all times unless a pesticide or fumigant is being put into, taken from, or prepared in the storage area.

Access to the storage area

PMTs who have custody, control or possession of a pesticide or fumigant must ensure that the storage area is secured against unauthorised access. The technician must ensure that, as far as practicable, a person has access to the storage place only with the technician's knowledge and authority, and that the person is a PMT, a trainee or another person who is at least 18 years.

Containers

A pesticide or a fumigant should be kept and stored in its original container. A container used to contain a pesticide or a fumigant should:

- be suitable for the purpose
- be impervious
- be sufficiently durable to prevent it from breaking or its contents from leaking or otherwise escaping during ordinary handling, transport or storage
- have sufficient excess capacity
- be capable of being securely closed
- be securely closed at all times unless a pesticide or a fumigant is being put into, or taken from, the container
- not react chemically with the pesticide or fumigant it contains
- not physically interact with the pesticide or fumigant it contains in a way that may result in deterioration of the performance of the container; and
- not be a container that is a food or drink container, or a container that is similar in colour, shape or appearance to a food or drink container. For more information, read the fact sheet available at:

https://www.health.qld.gov.au/_data/assets/pdf_file/0028/443791/fs-pmregsfoodcont.pdf

Labelling of containers

PMTs must ensure all containers including those containing prepared pesticide are labelled correctly. A PMT's responsibility extends to when a business has multiple vehicles on which pesticides are stored for future use, and the vehicles are used by a number of PMT's. Any PMT using the vehicle at a particular time is responsible for ensuring the containers of pesticide are labelled correctly. Possession includes having custody or control of the container and storing the container in any place, including a vehicle.

If a PMT or a trainee puts a pesticide or fumigant into a container that does not have an approved label attached to it, and then stores the container for future use, they must ensure that the container is suitably labelled with a durable label that includes:

- the active constituent(s) of the pesticide or fumigant; and
- a statement of the mass or volume of the active constituent per stated mass or volume of the preparation (dependent upon whether it is a liquid, solid, semi solid or gas in a liquid, semi-solid, or gaseous preparation).

(See section 8 and 8A of the Regulation for further details.)

An approved label means a label approved under part 2 of the *Agricultural and Veterinary Chemicals (Queensland) Act 1994* (Agvet Code of Queensland). Future use generally means, for example, when a tank of pesticide solution is mixed or dusting powder is put in another container and stored in the container overnight or longer. In this case, the container must be labelled in accordance with the Regulation and with any other relevant legislation, e.g. WHS.

Waste disposal and spills management

Disposal of waste

The disposal of waste is generally controlled by environmental protection legislation i.e. *Environmental Protection Act 1994* and *Waste Reduction and Recycling Act 2011*.

The PM Regulation has requirements for disposing of unwanted or spilled pesticides or fumigants (and in the case of a gaseous fumigant, dispersed) by a PMT so that it does not:

- put at risk or endanger the life or safety of any person or animal;
- pollute a watercourse or water supply;
- contaminate land; or
- adversely affect air quality.

Chemical disposal advice is often provided on the product label or SDS, or by the supplier. Where it is necessary to use a disposal contractor to dispose of the chemical, the contractor must be suitably licenced and approved with the Department of Environment and Heritage Protection (DEHP).

Disposal of containers

PMTs must only dispose of containers used to contain a pesticide or fumigant by:

- emptying the container, rinsing it several times with clean water, crushing or piercing it, then disposing of it without contravening any law, e.g. at an approved waste facility; or
- returning fumigant gas cylinders or containers to the supplier; or
- another method provided for in other Queensland legislation, such as a method stated in the *Environmental Protection Act 1994* and the *Waste and Recycling Act 2011*.

Note: The contaminated rinse water must be disposed of in such a way that it does not pollute the environment.

Spills management

All pesticide spills should be treated seriously and immediately. Concentrated spills are more hazardous than pesticides diluted with water. As soon as a PMT becomes aware of a spill or leakage of a fumigant or pesticide, they must take appropriate action to contain, and if necessary, dispose of the substance and the materials used to manage the spill. The pesticide/fumigant's label and the SDS provide information on how to deal with spills. It is advisable that a spill kit, appropriate to the type and amount of chemicals stored, be available.

If a spill occurs that threatens the environment, the PMT must contact the DEHP or local council. Where the spill or leakage adversely affects, or is likely to adversely affect, a person's health, the incident needs to be notified to the Chief Executive. (See the *Notifiable Incidents* section below).

Pest control advice

PMTs must provide the pest control advice ('the advice') immediately before or immediately after a pest control activity. This enables the occupier to take any necessary precautions to manage exposure and avoid adverse health effects on any people or animals in the premises.

The advice must contain the following information:

- if the PMT is self-employed, the PMT's name and the name of their PM business or, if the PMT is employed by a business, the name of the PMT's employer and the PM business name,
- the PMT's licence number,
- the name of each pesticide used (market name) and its active constituent,
- details of where the pesticide was used in the premises (e.g. interior, ceiling/wall void, exterior, outbuilding and/or surrounds),
- general cautions that should be taken prior to, during and after the pest control activity,
- the PMT's signature, and
- the date that the pest control was carried out.

Giving the advice to occupiers or others

The requirements for how and to whom the advice is provided at occupied or unoccupied premises differ slightly.

Occupied premises

The advice must be personally provided to the person who resides at, or is an occupier of the premises. If the residents / occupants cannot be located, the advice should be left in a prior arranged place or in a conspicuous place such as in the mail box or on a table.

Emailing advice does not meet the current legislative requirements. Relying on others to provide the necessary advice is also not permitted.

Multiple occupancy residential dwellings

When treating common areas at multiple occupancy residential dwelling, advice has to be provided to all occupiers. Attempts must be made to give advice to occupiers,

including when the occupiers are residents / occupants in a unit complex, a mining donga, rooming accommodation with shared kitchen/living facilities, an age care facility, a caravan park etc. Where this is not possible, the advice should be clearly displayed so all residents can be alerted to the pest control work being undertaken.

It is best practice to place a warning sign at all entry and exit points to the common areas, and on the complex notice board before pesticide application occurs. This signage should remain in place until the area is safe to use.

Generally, a site representative (e.g. body corporate manager, caretaker, property manager etc.) will make arrangements for pest management activities to be carried out on-site. However, the PMT is responsible for providing the advice for the activity conducted in each area.

Extra practical and reasonable steps should be taken in providing pest control advice to occupiers with impaired capacity or who have difficulty reading (e.g. language barrier) to ensure the person is not unknowingly adversely impacted by the pest control activity.

Unoccupied properties

When treating a vacant property, the PMT is required to provide pest control advice to either the owner or the person who requested the activity, such as the property manager. In these situations, the written advice must be handed directly or posted. Emailing does not meet the requirements of the law.

Fumigation activities

Fumigants are toxic gases and vapours that can cause serious harm to persons or animals exposed to them. A fumigation activity involves the use of the gas or vapour and requires specific skills and work practices. PMTs must comply with the requirements set out in the Regulation for any fumigation activity. The requirements are summarised below. Please refer to Part 4 of the Regulation for full details.

Before undertaking the activity

The PMT must:

- give a fumigation notice in writing to the owner / occupier of the premises or the person who requested the fumigation activity before carrying out the activity
- establish the extent of the risk area
- ensure only authorised persons are in the fumigation space or risk area
- ensure barricades are in place for the fumigation space and risk area to restrict access
- ensure sufficient **danger signs** are in place on the barricades for the fumigation space and risk area, and that the signs can be easily seen by a person approaching the risk area or fumigation site.
- ensure that potential ignition sources in the fumigation space and risk area are switched off or extinguished
- ensure that all food and liquids are removed from the area; and
- ensure that all cracks and crevices are sealed to prevent the escape of the fumigant. Note: This does not apply if the fumigation space is a grain storage facility and the activity is carried out using a method designed for use in a grain storage facility that is not sealed.

During the fumigation activity

Inspection and testing of the fumigation space and the equipment being used to introduce the fumigant must be carried out during the introduction of the fumigant if practicable and regularly during the retention period. If a leak or escape of fumigant from the equipment or space is detected, it must be stopped and the source sealed. The exception to this relates to fumigation in some types of grain storage facilities.

The PMT must also ensure that:

- barricades remain in place to restrict unauthorised access to the fumigation area
- danger signs remain in place for the entire exposure period
- at least one other person who is at least 18 years of age is present and close enough to the PMT to see or communicate with the technician, and to assist in preventing entry to the risk area if it cannot be secured by locking
- there is no smoking of tobacco or other substances

At the end of the fumigation activity

The PMT must:

- release the fumigant safely so as not to endanger a person
- vent the fumigation space, and anything in the space, so that it is free of fumigant
- determine if the fumigant space and risk area are safe to enter; and
- deny access to unauthorised persons until is satisfied that the space or risk area is safe to enter

Provision of a clearance certificate

- When a PMT believes the fumigation space is safe to enter, the PMT must give the person who requested the fumigation activity a clearance certificate.
- The clearance certificate is a certificate signed and dated by a PMT (not necessarily the PMT who started the fumigation activity) and must state the information contained in section 27(3) of the Regulation, including a statement that the fumigation space is safe for entry.
- The PMT, or if the PMT is employed or otherwise engaged by a person who carries on a business that provides the relevant fumigation activity, the person must keep a copy of the clearance certificate for at least two years after the day the certificate was given.

Record-keeping

Details of the PM activity are to be recorded not later than 24 hours after the activity is undertaken. The records must be kept by the **responsible person** for a period of at least two years. The responsible person must not include in the record or certificate any information the person knows is false, misleading or incomplete. It is an offence to knowingly make a false or misleading record.

Details to be recorded

The responsible person must make the record of the following details about the PM activity:

- the date the activity was carried out
- the address of the premises
- a description of the premises or place e.g. factory, office residence
- name and contact details of the owner, occupier or other person contracting the activity
- name and licence number of the PMT who carried out the activity
- name and strength used of each pesticide, and the quality used
- the rate of application for the fumigant or for the pesticide if, in carrying out the activity, it is used for timber pests

Note: Some PMTs may be providing clients with documentation that combines elements of business administration, pest control advice and record keeping. While there may be similarities, the responsible person must ensure that all of the information requirements for both the pest control advice and record keeping are met.

Records of termite treatments

The Australian Standard AS 3660 Termite Management requires a person who installs termite barriers for new buildings and new extensions or undertakes termite treatments for existing buildings to give the person who requested the work a certificate containing specified details.

A PMT who performs a termite treatment and issues a Certificate of Installation in accordance with AS 3660.1 or a Certificate of Termite Treatment in accordance with AS 3660.2 is considered to have made a record of the pest management activity that complies with the record keeping requirements.

Notifiable incidents

A PMT must notify Queensland Health of any notifiable incidents that occur while carrying out or supervising a pest management activity.

A **notifiable incident** means an exposure, spillage or other release of a pesticide or fumigant that adversely affects, or is likely to adversely affect, the health of a person. Examples of notifiable incidents include:

- accidental exposure of a resident to a pesticide during its application
- accidental exposure of a person to a fumigant

Notifiable incidents must be:

- reported immediately, either orally or in writing.
- if reported orally – put into writing within seven (7) days from when the incident occurred.

The notification must include the details about the incident including:

- the PMT's name, licence number and business name (if applicable),
- the date, time and location of the incident,

- the pesticide or fumigant involved in the incident including active constituents, concentration and volume
- names of persons exposed, their symptoms and any first aid or medical treatment required
- a brief description of what occurred, and
- actions taken to remedy the situation, e.g. how the spill was cleaned up

Verbal notifications can be made to the:

- Environmental Hazards Unit of the Health Protection Branch on (07) 3328 9310, or
- Environmental Health section of a HHSPHU.

Written notifications can be made via:

- a letter, or
- the form, “Notice to the Chief Executive – Notifiable Incident” – available on the Queensland Health website at: <https://www.health.qld.gov.au/publications/public-health/industry-environment/pest-management/notifiable-incident-notice.pdf>

Written notifications must be forwarded to a HHSPHU or posted to:

- Chief Executive
c/o Environmental Hazards Unit
Queensland Health
PO Box 2368
Fortitude Valley Qld 4006

The incident may be investigated by the HHSPHU.

Other requirements

Advertising or holding out

A person must not advertise or hold out that they carry out a pest management activity when the person is not licensed to do so. However, a person may advertise or hold out that they carry on a business of providing a pest management activity as long as they employ a licensed PMT to perform the activity they are licensed for.

Permitting or requiring another person to carry out pest management activities

A PMT, or a business that provides pest management activities, must not allow or require a person to carry out a pest management activity unless the person is a:

- licensed PMT or
- trainee PMT who is **properly supervised** when carrying out the activity.

Supervising trainees

If a PMT or a person who carries on a pest management business employs a trainee, they must ensure the trainee is properly supervised by a licensed PMT when carrying out a pest management activity. The PMT who supervises the trainee must be licensed for the pest management activity the trainee is undertaking.

Supervision of a trainee by a PMT may be direct or indirect depending on the nature of the work delegated. Direct supervision is when the supervising PMT is actually present, observes, works with and directs the trainee. Indirect supervision is when the supervising PMT works in the same premises as the trainee but does not constantly observe the trainee's activities.

The supervising PMT must be personally present and physically accessible at all times. (Note: accessible does not mean solely through the use of communication devices such as a mobile phone.)

Respiratory protection

Any respiratory protective device used by a PMT or trainee in the course of a pest management activity must comply with the current versions of the following Australian Standards:

- AS/NZS 1715 Selection, use and maintenance of respiratory protective devices, and
- AS/NZS 1716 Respiratory protective devices

Compliance & enforcement

Inspections of sites/premises and vehicles may be carried out by authorised inspectors to monitor compliance with the requirements of the Act and Regulation. These inspections may be done as part of a local or state-wide compliance activity, a routine inspection or a complaint investigation.

Inspectors

Inspectors are Environmental Health Officers from a HHSPHU, and are appointed by the Chief Executive.

Inspectors are responsible for:

- monitoring compliance with conditions of the PMT licence,
- providing advice to PMT licence holders, and
- taking appropriate action when non-compliance by PMTs is detected.

General powers of inspectors

Inspectors are provided with a full range of powers to enable them to administer the Act and Regulation including the power to:

- enter (including obtaining a warrant),
- search and inspect places of business,
- stop, inspect and search motor vehicles,
- seize and secure evidence,
- obtain information and samples for analysis,
- require the production of any document issued or required to be kept under the Act. This includes a pest management technician's licence, records and clearance certificates, issue compliance notices, take copies of documents, and
- issue Prescribed Infringement Notices (PINs) or take other enforcement action.

If an inspector believes that something in or on a vehicle will provide evidence of an offence against the Act or regulation, the inspector can:

- ask or signal the person in charge of the vehicle to stop,
- enter the vehicle with the driver's consent or with a warrant, or
- direct that the vehicle be not moved or moved to another location.

An inspector must produce or display their photographic identity card before exercising any power under the Act.

Enforcement action options

If an inspector finds non-compliance with the Act or Regulation, the inspector has a number of enforcement action options they can take, depending on the seriousness of the non-compliance. Options include:

- providing advice and education
- issuing a warning letter
- issuing a Prescribed Infringement Notice (PIN)
- issuing a compliance notice
- prosecution
- cancellation of the PMT's licence

A PIN is a notice issued under Part 3 of the *State Penalties Enforcement Act 1999*, advising that a breach of the Act has occurred (usually a minor breach). It provides the alleged offender with the opportunity to pay the penalty in full or to elect to have the matter heard by a Court.

Offences

The Act and Regulation contain a number of offences and penalties. Some offences carry a penalty of up to a maximum of 1000 penalty units. Examples of offences include:

- carrying out a pest management activity without a licence
- advertising or holding out as a PMT if unlicensed
- failing to properly supervise a trainee PMT
- obstructing an inspector
- failing to comply with an inspector's direction

A full list of offences and associated penalties under the Act and Regulation is contained in Appendix 4.

Other legislative requirements

As well as the requirements under the pest management legislation, PMTs must also be aware of and comply with other legislative requirements that apply in Queensland. Please refer to Appendix 6 for links to relevant websites.

Australian Pesticides and Veterinary Medicines Authority

All agricultural and veterinary (agvet) chemicals, including pesticides, must be registered by the Australian Pesticides and Veterinary Medicines Authority (APVMA). The APVMA approves the use of an agvet chemical for a particular purpose/s as well as the product's labels.

Only APVMA approved agvet products can be used in Australia. Any agvet product (and its labelling) from overseas has to be approved by the APVMA before it can be used in Australia. Products available online from other countries may have different formulations and labelling, and therefore may not meet standards.

Depending on the scheduling, pesticides may be available to the public through agricultural product suppliers, supermarkets and hardware and garden supply stores. Some products are restricted for sale only to persons who use them in their occupation.

The APVMA maintains a database, Public Chemical Registration Information System (PUBCRIS), which contains details of all registered pesticides including copies of product labels. The database can be found at <https://portal.apvma.gov.au/pubcris>

Health (Drugs and Poisons) Regulation 1996

In addition to administering the Act, Queensland Health is also responsible for the *Health (Drugs and Poisons) Regulation 1996* (HDPR) which contains the controls for poisons including access, labels, storage, disposal, records, sale, and advertising. These requirements also apply to PMTs. For example, under the HDPR, a PMT may obtain and use a Schedule 7 dangerous poison but they are not permitted to sell or otherwise supply the poison to an unlicensed person.

Chemical Usage (Agricultural and Veterinary) Control Act 1988

The *Chemical Usage (Agriculture and Veterinary) Control Act 1988*, administered by Biosecurity Queensland, Department of Agriculture and Fisheries, requires pesticides to be used in accordance with the product label.

Queensland Health has reflected this requirement as a condition of a PMT licence to support appropriate pesticide use.

Queensland Building and Construction Commission Regulation 2003

The *Queensland Building and Construction Commission Regulation 2003*, administered by the Queensland Building and Construction Commission (QBCC), describes the requirements to be met to issue the licence class Termite Management Chemical. This is completely separate from a PMT licence.

The below activities are licensable activities that are regulated by the QBCC and are not covered by a PMT licence:

- Carrying out pre-slab and perimeter chemical treatments of new building work for termite management

- Inspecting or investigating a completed building and providing a report or advice about termite infestation of the building or termite management systems for the building
- Installation of a particular material or system designed for the prevention of termite infestation in accordance with the manufacturer's specification or any other applicable standard
- Inspecting or investigating a completed building and give advice or a report about the use of the particular material or system for the building

Generally, if the PMT is an employee of a business providing a timber pest management service including inspection and advice, the PMT does not require a QBCC contractor licence as the business owner or company director would hold a contractor licence.

Work Health and Safety Act 2011

The *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011* provide the legal framework to protect workers in the workplace. This is administered by WorkCover Queensland.

While the PM Regulation prescribes certain requirements for vehicles, chemical storage, containers, and labelling, PMTs must also ensure that any requirements under the Queensland *Work Health and Safety Act 2011* and subordinate legislation are also met. For example, Safety Data Sheets (SDSs) for each chemical must be kept and readily accessible where the chemical is being used, suitable personal protective equipment must be worn, chemicals must be stored and transported appropriately including in vehicles.

Appendix 1: Key Contacts

- **Senior Licensing Officer, Health Protection Branch, Queensland Health**
Lodging and enquiries about licence applications.
Phone (07) 3328 9310
- **Hospital and Health Services Public Health Units (HHSPHU)**
Enquiries about compliance with licence requirements, interpreting the Act and the Regulation are to be obtained from your local Public Health Unit (Environmental Health section). Public Health Units contact details can also be accessed from the Queensland Health webpage: <https://www.health.qld.gov.au/system-governance/contact-us/contact/public-health-units/default.asp>
- **Australian Pesticides and Veterinary Medicines Authority (APVMA)**
Phone: 02 6210 4701
Email: enquiries@apvma.gov.au
Website: www.apvma.gov.au
- **Australian Skills Quality Authority (ASQA)**
Issues or complaints in relation to the quality of training offered by a RTO can be made to the Australian Skills Quality Authority:
Phone: 1300 701 801
Email: enquiries@asqa.gov.au
Website: www.asqa.gov.au
- **Department of Environment and Heritage Protection**
Phone: 137 468
Email: info@ehp.qld.gov.au
Website: <https://www.ehp.qld.gov.au/>
- **Poisons Information Centre**
Phone: 131 126
Website: www.health.qld.gov.au/PoisonsInformationCentre
- **Queensland Building and Construction Commission (QBCC)**
Phone: 139 333
Website: <http://www.qbcc.qld.gov.au/contact-us>
- **Queensland Department of Education and Training (DET)**
Phone: 1800 210 210
Website: <http://deta.qld.gov.au>
- **WorkCover Queensland**
Phone: 1300 362 128
Website: <https://www.worksafe.qld.gov.au/>

Appendix 2: Dictionary

For the purposes of this guide, the following definitions apply:

Term	Definition	Interpretation
Agricultural chemical product	Meaning given by the <i>Agvet Code of Queensland</i> , section 4.	
Agvet Code of Queensland	The provisions applying because of section 5 of the <i>Agricultural and Veterinary Chemicals (Queensland) Act 1994</i> .	
Chief Executive	The Chief Executive of Queensland Health.	
Danger Sign	A sign required under the regulation which must be on a white background, contain the name of the pest management technician or details of the owner of the pest management business, a contact phone number for the technician/business, and include the following works in red letters of not less than 50 mm in height: DANGER KEEP OUT FU MIGATION IN PROGRESS WITH (name of fumigant)	For further guidance on the design and layout see: Australian Standard 2476-2008 General Fumigation Procedures (Appendix B)
Fumigant	A substance capable of producing a gas or vapour that is ordinarily used in a gaseous or vaporous state to kill a pest or sterilise grain or seed to prevent germination.	
Fumigation activity	Preparing a fumigant for use including measuring, mixing or weighing or using a fumigant to kill a pest or sterilise grain or seed to prevent germination.	
Household pesticide	Ordinarily used for household use and ordinarily available for purchase in a retail store where groceries are sold and packaged in a way the pesticide is ordinarily available in a store.	A spray pack or pesticide available for purchase at a supermarket.
Inspector	A person appointed under section 55 of the Act.	
Occupier	(a) a person in actual occupation of the places or a part of the place; (b) a person who employs another person in, or in connection with, the business conducted in the place; or (c) a principal, agent, manger, supervisor or other person involved, or apparently involved, in the management or control of the place or a business conducted in the place.	For example, an owner, resident of a place or a principal occupant of a business in the place.
Pest control activity	Preparing a pesticide for use, including measuring, mixing or weighing the pesticide or using the pesticide to kill, stupefy or repel a pest; or inhibit the feeding of a pest; or modify the physiology of a pest to alter its development or reproductive capacity.	Any activity involving the use of a pesticide to control pests.
Pesticide	A chemical or biological entity that is ordinarily used to kill, stupefy or repel a pest; or inhibit the feeding of a pest; or modify the physiology of a pest to alter its development or reproductive capacity.	A chemical or living thing that is used to control pests. An example of a biological entity or living thing is the use of <i>Bacillus thuringiensis</i> , a bacterium used for the control of mosquito larvae. Pesticide

		also includes the terms insecticide, rodenticide, arachnicide, pulicide.
Pest management activity	A fumigation activity or pest control activity.	
Pest management technician	An individual who holds a licence issued under the Act.	Formerly a pest control operator or fumigator.
Pest Management Technician's Licence	A licence granted under the Act.	
Place	Includes premises and vacant land.	
Premises	Premises includes – (a) a building or other structure; and (b) a part of a building or other structure; and (c) land where a building or other structure is situated; and (d) aircraft, motor vehicle or ship.	
Properly supervised	in relation to the carrying out of a pest management activity by a trainee, means the trainee carries out the pest management activity under the supervision of a pest management technician who— <ul style="list-style-type: none"> • is authorised to carry out the activity under the technician's licence; and • is personally present with the trainee at all times while the trainee carries out the pest management activity; and • ensures the trainee carries out the pest management activity under any requirements, relevant to the trainee, prescribed under a regulation. 	
Recordable activity	A fumigation activity that is using a fumigant; or A pest control activity that is using a pesticide.	
Relevant person	For a relevant fumigation activity carried out by a pest management technician employed by another person carrying on a business that provides a pest management activity – (a) the person who employs the technician; or (b) otherwise, the pest management technician who carries out a relevant fumigation activity.	(a) the employer of a pest management technician or technicians. (b) the self-employed technician
Responsible person	For a recordable activity means - (a) if the activity is carried out by a trainee – the person who employs the trainee; or (b) If the activity is carried out by a PMT employed by another person carrying on a business that provides a pest management activity – the person who employs the technician; or (c) Otherwise – the PMT who carries out the activity.	
Safety Data Sheet	A Safety Data Sheet (SDS), previously called a Material Safety Data Sheet (MSDS) is a document that provides information on hazardous chemicals and how they affect the health and safety in the workplace.	
Site environment	A particular or type of place.	
Trainee	An individual who is 17 years or more and being trained to enable the individual to obtain a pest management qualification.	The trainee would be currently enrolled with a RTO in a pest management training course.

Appendix 3: Pest management activities guide

This guide provides clarification on the types of activities that require a pest management technician (PMT) licence under the *Pest Management Act 2001*

Activity	Where	Who	Licence required?
Using pesticides inside or outside a premise (including gardens, yards etc.) to treat pests as part of a business activity.	Domestic or commercial premises	PMT, carpet cleaners, home handy man, lawn maintenance	Yes
Using household pesticides (pesticides that are sold at a grocery store) to treat pests inside or outside a premise as part of a business activity.	Domestic or commercial premises	PMT, home handy man, carpet cleaner, cleaners, garden maintenance people	Yes
Using household pesticides to treat pests inside or outside the house you occupy.	Domestic premises	Home owner, home occupier	No
Using household pesticides to treat a property you own and rent when it is not occupied.	Domestic premises	Home owner	No
Using household pesticides to treat a property you own and rent when it is occupied.	Domestic premises	Home owner	Yes
Using household pesticides to treat a food store for pests.	Commercial premises	Store owner, store staff	No
Using pesticides to treat a food store for pests (e.g. purchased from hardware stores)	Commercial premises	Store owner, store staff	Yes
Using pesticides to treat a lawn for grub or beetle infestation.	Domestic premises	Lawn care specialist, handy man, gardener	Yes
Using pesticides for the treatment and care of the growing of plants at a sporting ground or place used for recreation, such as a park.	Football oval, council park, bowling green	Groundsman, bowls club green keeper	No*
Using pesticides for the treating of plants for insect infestation, such as aphids.	Domestic or commercial premises	Lawn care specialist, handy man, gardener	Yes
Using pesticides for treating animals for fleas.	Domestic premises	Pet owner, pet grooming business, handy man	No
Using pesticides to treat seeds or grains for animal food.	Farm, grain packaging or storage facility	Farmer, maintenance staff	No
Using an agricultural chemical product (approved under the Section 4 of the Queensland Agvet Code) for aerial application.	Farm, forest	Commercial pilot, farmer	No*

Using pesticides in primary production (means the production, storage, or preparation for the marketing or export, of agriculture or horticulture products).	Primary production farm	PMT, farmer, farm worker, nursery worker	No*
Using pesticides to preserve timber on a commercial basis as an Environmentally Relevant Activity under the <i>Environment Protection Act 1994</i> .	Wood preservation facility	PMT, wood preservation plant staff	No

*There may be other licence requirements by other government agencies such as Biosecurity Queensland.

Appendix 4: Units of Competency

Units of Competency required for each type of pest management activity

Type of pest management activity	Unit of Competence	Title of Unit of Competency
Pest control activity (activities excluding activities for timber pests) (superseded competencies)	CPPPMT3005 CPPPMT3006 CPPPMT3018 OR	Modify environment to manage pests Apply pesticides to manage pests Maintain equipment and chemical storage areas
	PRMPM05 PRMPM06 PRMPM18	Modify environment to manage pests Apply pesticide to manage pests Maintain an equipment and consumables storage area
Pest control activity (activities including activities for timber pests) (superseded competencies)	CPPPMT3005 CPPPMT3006 CPPPMT3008 CPPPMT3010 CPPPMT3018 OR	Modify environment to manage pests Apply pesticides to manage pests Inspect and report on timber pests Control timber pests Maintain equipment and chemical storage areas
	PRMPM05 PRMPM06 PRMPM08 PRMPM10 PRMPM18	Modify environment to manage pests Apply pesticide to manage pests Inspect and report on timber pests Control timber pests Maintain an equipment and consumables storage area
Fumigation activity Competencies plus a Declaration of assessment for fumigation site environments	CPPPMT3011 OR	Conduct fumigation
	PRMPM11	Conduct fumigation (also known by its former name – Eradicate pests through fumigation)

Important note: From time to time, national training packages are reviewed and endorsed by the National Skills Standards Council and training packages (and names and codes of units of competency) may change.

Appendix 5: Offences

Pest Management Act 2001

Section	Description	Maximum penalty units
11	Requirement for licensing	1000
27	Contravention of condition of licence	200
39	Varied licence to be produced	10
42	Surrender of licence	10
48	Failure to return of cancelled/suspended licence	10
51	Pest management technician must not permit or require another person to carry out a pest management activity.	1000
52	Failure to supervise a trainee	200
54	Noticed of change in circumstances	10
61	Return of identity card	10
68	Complying with an inspector's direction	50
70	Failure to help inspector	50
71	Failure to give information	50
75	Tampering with seized thing	100
76	Powers to support seizure	50
84	Failure to give name or address	50
86	Failure to produce document	50
87	Failure to certify copy of document	50
88	Power to require information	50
89	Compliance notice	100
92	False or misleading statements	50
93	False or misleading documents	50
94	Obstructing inspector	100
95	Impersonation of an inspector	50
96	Notifiable incidents	50

Pest Management Regulation 2003

Section	Description	Maximum penalty units
7	Requirements about containers	20
8	Labelling of containers	20
8A	Possession of incorrectly labelled container	20
9	Disposal of containers	20
10	Storage of fumigants or pesticides	20
11	Dealing with leakages or escapes	20
12	Disposal of fumigants or pesticides	20
13	Information to be given to occupiers or others	20
14	Records of use of fumigants or pesticides	20
15	Records of use for certain treatments for termites	20
16	Requirements about motor vehicles	20
17	Requirements about the use of respiratory protective devices	20
18	Establishing risk area	20
19	Inspecting before fumigating	20
20	Notifying persons about relevant fumigant activity	20
21	Barricades to be erected	20
22	Danger signs to be displayed	20
23	Interfering with barricades or danger signs	20
24	Inspecting and testing during fumigation	20
25	Releasing fumigant and venting fumigation space	20
26	Re-entering fumigation space	20
27	Clearance certificate	20
28	Other person to be near technician	20
29	Smoking prohibited	20

Current penalty unit rates in Queensland can be found

<https://www.qld.gov.au/law/crime-and-police/types-of-crime/sentencing-fines-and-penalties-for-offences/>

Appendix 6: Relevant Legislation, Standards and Resources

- The *Pest Management Act 2001* and Pest Management Regulation 2003 govern the regulation of pest management technicians, pest control activities and fumigation activities in Queensland. The legislation can be accessed electronically from the Queensland legislation webpage at:
www.legislation.qld.gov.au/Acts_SLs/Acts_SL_P.htm
- Template forms, newsletters, reports, guidelines, related websites and other information relating to poisons and pest management in Queensland can be accessed through the Queensland Health webpage:
www.health.qld.gov.au/industry/poisons_pest
- The *Standard for the Uniform Scheduling of Medicines and Poisons (SUSMP)* includes the classification of medicines and chemicals into Schedules for inclusion in relevant legislation of the states and territories of Australia and is located on the Therapeutic Goods Administration webpage at:
<https://www.tga.gov.au/publication/poisons-standard-susmp>
- The Australian Pesticides and Veterinary Medicines Authority (APVMA) maintain a database, Public Chemical Registration Information System (PUBCRIS), which contains details of all registered pesticides including copies of product labels. All agricultural and veterinary chemicals, which include pesticides, must be registered by APVMA. The authority also approves all labels used on pesticide containers. Their database can be located at: <https://portal.apvma.gov.au/pubcris>
- The Queensland Building and Construction Commission (QBCC) regulates the building industry throughout Queensland, and issues licences that allow persons (PMTs) with the appropriate qualifications to carry out termite management work. For more information, refer to their website: <http://www.qbcc.qld.gov.au>
- Workplace health and safety information, Codes of Practice and links to WHS legislation can be found on the WorkCover webpage:
<https://www.worksafe.qld.gov.au/>
- Australian Standards are available for purchase and downloading / ordering at <https://infostore.saiglobal.com/>.